

WEDDING GUEST SUES LYONS.

ARRESTED AFTER SUPPER IN THE BOWERY RESTAURANT.

Lively Party, and All of 'Em Were Jugged—Davis, Who Says He Was Sober, Wants \$5,000—Bridgman Drank the Most, "of Course"—Mike Lyons's Version.

The story of a wedding supper given at Mike Lyons's restaurant on the Bowery on Decoration Day, 1900, was retold yesterday at the trial before Supreme Court Justice Cochrane and a jury of the suit of Mike Lyons against Lyons to recover \$5,000 for false arrest.

The supper was in honor of Jack O'Brien's second marriage. O'Brien had worked as a waiter for Lyons for some years and the wedding party of nine wound up in the Eldridge street police station. Lyons failed to collect the \$42.50 due him. Next morning they were discharged on O'Brien's promise to make good the bill.

Davis, describing the supper, said that they first had six or seven cocktails, with champagne on the half shell, then some fish and "red wine," then some steak and champagne to top off the meal.

"Who ordered the courses?" Davis was asked. "I don't know," he answered, "but I know I didn't. I'm a married man, and coming along half past 10 I started to make a break for home. I went up to the cashier and offered to pay for my share and that of a friend with a \$10 bill, but he wouldn't have it that was the Lyons told me that unless the bill was all paid we'd be arrested. O'Brien didn't have enough money, and after some argument we were all bundled into a patrol wagon and looked up. Next morning I was discharged through innocent with the other guests by Magistrate Crane."

Davis said he wasn't drunk. Mrs. Katie Chase, bridesmaid, testified that she saw some wine on the table but that she "never touched a thing." "I wouldn't know a cocktail if I seen one," she added.

O'Brien, who explained the groom he drank more than the rest."

When the plaintiff's case was closed Mike Lyons took the stand.

"I've been in business at 250 Bowery since 1871," he began, "and I never had a similar occurrence to this one happen in all these 32 years. I was sitting eating my supper that night when suddenly the door burst open and in rushes a tall woman with a bridal veil on at the head of a big party. I asked Wright, my head waiter, who they were, and he told me it was Jack O'Brien's wedding supper. First they had about sixteen cocktails, then they had claret and by-and-by it was wine. Davis drank some of everything, and he seemed to be doing most of the ordering."

"When they got through the claret and began on the wine," continued Lyons, "they got more lively. Three or four of the men started kissing the bride, and him for one of the burglars as he was going downstairs. He was held till the afternoon in order for the janitor and his wife and the family Brockway said he was visiting, to court."

They did not appear, but when Brockway was arrested for the second time Mrs. Fergus stepped up to the Magistrate and said:

"Your Honor, this is a very sad case. This man's blind father has been to visit me, with his mother, who cannot speak, and I feel profound pity for him."

"It is possible, it is not," said the Magistrate, "that this story may be true, and that you may have mistaken him for another man."

Mrs. Fergus was very sure that her statement was true, but did not wish to prosecute. "Young man," said the Magistrate, "I will discharge you, but I must give you a lesson of a lifetime to you. Mrs. Fergus is doing a most magnanimous act, and I want you to shake hands with her and thank her for it."

Brockway extended his hand, and mumbled his thanks.

STILL HAD STOLEN WATCH. Pelz Didn't Lose It, but McMahon Is Sent Up for the Theft of It.

For transferring the watch of Edward Pelz, a bookkeeper of 130 East Sixty-sixth street from Mr. Pelz's left waistcoat pocket to Mr. Pelz's right trousers pocket, Joe Barnes, whose right name is William McMahon, was sentenced to three years and six months in State prison yesterday by Justice Newburgh in the court of General Sessions.

Barnes, who was employed in the publication department of the New York Press, stood beside Mr. Pelz on the crowded rear platform of a Third Avenue car one day last fall. Mr. Pelz looked down and saw his watch chain dangling. He at once set up a shout and stretched his arms across the car to the other side of the car to keep anybody from getting off.

Barnes was caught while trying to climb over the dashboard. He set up an immediate defense that he had not Mr. Pelz's watch and had never had it.

Mr. Pelz then discovered the watch with the swirling ring broken in his right hand trousers pocket. Policeman Daly said that he had seen Barnes with his hand on the watch at the moment the stem was broken. The jury believed him.

Judge Newburgh learned that Barnes had been sentenced to Sing Sing in 1900 for pinching poets in Brooklyn and that he had then got a year off his sentence for good behavior, which he will now have to serve, in addition to his present sentence.

OVER \$500,000 TO DOVEY. Quarter of Estate of C. F. Doe Goes to the University of California.

SAN FRANCISCO, Jan. 21.—The will of Charles F. Doe, lumber manufacturer of San Francisco, which was filed to-day, disposes of an estate valued at over \$2,000,000, of which 24 per cent. is left to the University of California for a library and books for the academic department. The university will thus receive between half and three-quarters of a million dollars, according to the appraisement of the estate.

Some of the relatives remembered are John F. Doe, Newfield, Me., \$125,000; Charles B. Gould and Ralph W. Gould, Haverhill, Mass., \$100,000 each; the minor children, Mary E. Doe, \$50,000 each; George I. Doe, Arlington, Mass., \$150,000; Arthur E. Doe, Portland, Me., \$25,000; Calvin W. Doe, Big Rapids, Mich., \$125,000; Lucy D. Hyde, Toronto, \$70,000; Mary Ellen Boone, Waukesha, Wis., \$150,000; Charles H. and Frank G. Moore, of Dallas, Tex., \$125,000; Ella F. Lincoln, Malden, Mass., \$70,000.

BRIC-A-BRAC DEALER FAILS. Henry D. Gardner Owes Henshaw \$68,551 and Others \$38,000.

Henry Dearborn Gardner, dealer in antique furniture, bric-a-brac, etc., at 257 Fifth Avenue, has filed a petition in bankruptcy, with liabilities of \$108,254 and nominal assets of \$39,779, of which \$84,779 are merchandise. Judge J. of the United States District Court has appointed John E. Sargent, a \$50,000 creditor, as one of the creditors are Joseph Sargent, \$25,000; John E. Sargent, \$25,000; Charles H. and Frank G. Moore, of Dallas, Tex., \$125,000; Ella F. Lincoln, Malden, Mass., \$70,000.

A creditors' petition in bankruptcy has been filed against the Mutual Loan and Trust Company, and Charles W. Telford, of C. J. Telford & Son, manufacturers of bread at 510 to 522 West Thirty-seventh street, made an assignment yesterday to Frederick C. Steffen.

Sneak Thief at Mrs. Van Rensselaer's. Mrs. Cortlandt S. Van Rensselaer of 46 East Sixty-first street was robbed of three rings last Tuesday by a sneak thief, who called at the house while she was out and got the maid to leave him alone by saying that he was ill and wanted a glass of water. Mrs. Van Rensselaer reported the robbery at Headquarters.

Karo
CORN SYRUP
The new Kaho Syrup places the palate and satisfies the stomach. Delicious and nutritious. At all grocers, 10c, 25c and 50c. CORN PRODUCTS CO., New York and Chicago.

SHE SLID TO CATCH A THIEF.

MRS. FERGUS SHOT DOWN THE BALUSTRADE AFTER TWO MEN.

Clad in Her Night Dress, She Passes the Pair and Grabs One at the Door—Blind Father and Dumb Mother Intervene for the Prisoner, Who's Freed.

Mrs. Alice Fergus, who lives at 148 Eighth Avenue, caught a burglar yesterday morning by sliding down the balustrade in her night dress.

Mrs. Fergus was in bed half asleep at 3:30 o'clock yesterday morning when she heard a rattling at the door of her room. She jumped up and ran into the next room, where she found two men crouching over a big clock on which they had piled several valuable articles.

With a shriek she rushed at them, and they fled. One of them grabbed up a sash-skin sack as he ran.

Mrs. Fergus was equal to the occasion. She snatched the sash-skin sack and reached the newel post before the two men were half way down, and when they reached the door they were shocked to find a woman in her night dress against it.

One of them knelt her down, but she scrambled to her feet and clutched a man in the semi-darkness. The other man disappeared.

Mrs. Fergus's screams brought George Yates, the janitor, and his wife, and the police managed to hold the prisoner until Policeman James Carey of the West Twentieth street station arrived.

At the station house the prisoner gave his name as Arthur Brockway, 27 years old, of 1265 Washington Avenue, a telegraph operator. He said that he was employed at the East 161st street station of the elevated railroad.

When he was arraigned in the Jefferson Market police court Mrs. Fergus, who gave her occupation as a "business" woman, gave a business like account of her adventures.

Brockway said in his own defence that he was visiting a family on the second floor and that Mrs. Fergus had mistaken him for one of the burglars as he was going downstairs. He was held till the afternoon in order for the janitor and his wife and the family Brockway said he was visiting, to court."

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Brockway extended his hand, and mumbled his thanks.

STOLE NO PICTURES, ANYWAY. ROGERS, PEET & COMPANY.

258 Broadway, opposite City Hall, and 7 and 9 Warren St. 842 Broadway, cor. 11th and 10th Sts. 1290 Broadway, cor. 2nd and 3rd Sts. and 54 West 53d St.

ARMITAGE MATHEWS'S CLIENT MAKES AN ODD DEFENCE. Auctioneer Toboldt, to Whom Paintings Were Consigned for Sale, Pleads That If He Stole Anything It Was Money Since He Sold the Pictures.

Ex-Alderman Armitage Mathews, secretary of the Republican county committee by grace of the new Odell-Murray combination, appeared in Part IV. of General Sessions yesterday with a remarkable defence for a client who was accused of grand larceny in the first degree. The client was Carl W. Toboldt, an auctioneer of 33 Liberty street.

According to the indictment, Toboldt received last summer from Solomon Johnson, a picture dealer at 239 Fifth Avenue, six paintings which he agreed to sell, retaining the proceeds or the unsold paintings by a certain time. At the time appointed he delivered neither money nor paintings. He wrote to Johnson, saying that he had sold the pictures but had not been paid for them. Johnson's estimate of the value of the pictures was \$3,500.

The District Attorney's office, Assistant District Attorney Train said yesterday was informed that the pictures had never been sold, but were in a safe deposit company's vaults uptown. Toboldt was therefore indicted for the theft of the pictures.

Toboldt went on the stand yesterday, and under questioning by his counsel testified that he had really sold the pictures and that he had received the money. He said that he had sold them to a man who had paid him \$3,500, and that he had sent the money to "pay his debts." He admitted that he had not told the truth in his indictment, but that he had sold the pictures to the picture dealer, Mr. Mathews, then a picture dealer, and that the dismissal of the charges against his client, saying in effect:

"The indictment charges us with the theft of certain paintings. We have stolen no paintings. We have come into court and have freely testified that we sold the paintings, as we agreed to sell them, but that we have not paid the money to Mr. Johnson as we agreed to. Whatever we may have done, we are not guilty of having stolen paintings."

There was no count in the indictment charging the theft of the money paid for the paintings. Assistant District Attorney Train, after commenting cheerfully on the ingenious nature of the defence as set forth by Mr. Mathews, announced that he would ask for the withdrawal of a juror and the dismissal of the case, so that he could proceed to have Toboldt indicted for the larceny of Mr. Johnson's money. The Court granted his request.

Mr. Mathews's client was released in \$2,500 bail.

ALL THE RAID PRISONERS HELD. Magistrate Cornell Fines Bail for Spectators and Performers.

Forty-seven men and women were before Magistrate Cornell in the Yorkville police court yesterday as a result of the raid at Tecumseh Hall in East Thirty-third street Wednesday night. Of the nine women four were colored. There were two negroes among the men.

He held the forty-seven in bail ranging from \$1,000 to \$1,500 each. The performers were held under Section 303 of the Penal Code and the spectators for aiding and abetting an immoral performance.

THE NORTH-WESTERN LINE
Safety and Comfort

Your safety is the first consideration on the Chicago & North-Western Railway.

You are protected by all known safety devices and surrounded by every luxury on its fast trains west and northwest. Double track lines between Chicago and Milwaukee, Minneapolis, St. Paul, Council Bluffs and Omaha. The clean and solid roadway is laid with heavy steel and guarded by automatic electric block signals and other safety devices.

It pays to travel via the North-Western Line.

Send 2-cent stamp for booklet descriptive of "The Overland Limited," the famous three-day train between Chicago and the Pacific Coast, which stands today a type of the highest development in modern long-distance railway travel.

ADLDRIDGE, 401 Broadway, New York, N. Y.

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H. O'Neill & Co.
Friday and Saturday we will offer the balance of the sample line and surplus stock of the Famous "Edwin C. Burt" Shoes at \$2.50 per pair.

Our Regular Price, \$3.50 per pair. The very latest styles are shown in French Patent Leather and Vic Kid—lace and button—light, medium and heavy weight soles—all styles of heels.

While all sizes are to be found in nearly all of the styles, of course certain sizes are bound to disappear quickly.

Two Dollars and Fifty Cents Pair (Second Floor.)

Fine Groceries at Special Prices for Friday and Saturday. No mail or telephone orders—none sent C. O. D.

TEA SPECIAL Formosa, Oolong, Young Hyson, Ceylon, English Breakfast, Japan and Mixed Tea—excellent quality and a really good cup, lb. 25c Sold elsewhere at 50c. lb.

CEREAL Boston Brown Flakes, the whole wheat berry cooked and crushed; package, 10c

SAPOLIO and Mahd Sapolio, Enoch Morgan and Sons, cake, 6c

CRACKERS Inner Seal packages, Social Teas, Saltines, Butter Thins and Graham Wafers, package, 7c

TOMATOES Hartford Co. Magnolia brand red ripe Tomatoes, 3-lb. cans, dozen 90c, can, 10c (Basement)

Sixth Avenue, 20th to 21st Street.

SHOES
Clearing Sale Will Continue at Same Prices as Heretofore Advertised.

Sixth Avenue & Nineteenth Street.

ALEXANDER

SPECIAL SALE. 140 Young Men's Stylish Overcoats, 32-35 chest. Half of them the fashionable Belted Tourists. Regular prices, \$20, \$18, \$15, none less than \$15, at \$9.75. A good way to advertise—no other reason. N. Y. Store only.

SMITH, GRAY & CO.

\$9.75

"Oh, Be Jolly!"

"The Best Ever"

P. B. Ale

Acker, Merrill & Condit Company New York Agents \$1.50 per dozen pints

MAN WITH 100 SHARES OF STOCK HAS ONE VOTE, LIKE MAN WITH ONE SHARE.

The trust fighting tobaccoists who succeeded from the Cigar and Tobacco Dealers' Association because five members acquired a majority of the common stock and began to run things met last night in Tuxedo Hall, Fifty-ninth street and Madison Avenue.

"Why, that was another trust," they said.

Mr. J. Horwitz, a Sixth Avenue tobaccoist, with seven others and a lawyer, had drawn up a charter and by-laws for a new organization. The charter has a clause which provides that no matter how much stock a man holds he can have only one vote.

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"Five men," said he, "wanted to make themselves high cocktailers, but we've got the bulk on 'em. We've got a charter from the State that all O. K. We will call ourselves the United Dealers' Cigar and Tobacco Company. The company can do business in any part of the world, and we can do any kind of business at all, except, perhaps, insurance. The stock is to be the value of \$25,000. Every stockholder shall have but one vote, regardless of the number of shares he holds. There ain't no smart Aleck now that can do any more even if he has more money than me looking out for my coffee and rolls on Columbus Avenue."

Beach station called on Capt. Handy yesterday afternoon, and the two went to the suspected place and said they wanted to rent a room. A young man who met them in the hallway of the house said that the room was already rented. The captain took a chance and broke open the door leading to the rear room. There, he says, were seven women and three men. One of the latter, the captain declares, was talking over a telephone and taking bets on the races.

When the captain and Roundsmen Kane entered two women escaped by the basement door. Capt. Handy blocked the way of the others by threatening to shoot. He then allowed all hands to go except the young man at the telephone, who was taken to the station house in a patrol wagon. The prisoner said he was Charles Herbert of 83 West 117th street.

The house where the raid was made is a four-story brownstone dwelling. Capt. Handy says it is occupied as a theatrical boarding house and is run by a Mrs. Davenport.

Senator Hanna Again Laid Up With Grip. WASHINGTON, Jan. 21.—Senator Hanna remained in bed to-day suffering from the recurrence of the attack of grip which laid him up in New York just before Christmas time. He could not attend the White House reception in honor of the judiciary to-night, but hopes to be out in a day or two.

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PULLS DON'T GO, SAYS HAYES. Plain Talk From the Fire Commissioner to Men Who Shirk Duty.

The arraignment before him yesterday of firemen accused of being absent from quarters without leave moved Commissioner Hayes to say:

"Some of you men seem to think you can shirk your duty and then escape punishment through a pull. Now, we might as well understand each other at the beginning. No man in the department is going to shirk work and escape the penalty for such an offence. Get that notion out of your head, for no kind of a pull will save you from punishment when I find you are not doing your duty."

STOLE 20 DOG SHOW MEDALS. Burglars Get the Trophies of Mr. Hopkins's Prize-Winning Canines.

Burglars with a hankering for dog show medals got into Richard Teub's flat in the Verona apartments at 154 West 104th street yesterday. Mr. Teub is a manufacturing chemist at 89 Little West 124th street. With him he has a number of prize-winning dogs. The burglars got twenty medals won by Mr. Teub's dogs. The thieves also stole jewelry worth about \$200. They overlooked diamonds worth several thousand dollars and refrained from taking some valuable paintings.

The apartment was turned upside down when Mr. Teub got home from business last evening.

The Wanamaker Store
The Annual Stock-Righting Sale of Hosiery and Underwear

Once a year we clean up our stocks of Hosiery and Underwear, most radically, from top to bottom. On February First we start off with stocks as fresh and clean and perfectly assorted as if we were just starting in business. They are tedious stocks to keep straight, odd lots accumulate with wonderful rapidity and perversity. It requires heroic treatment, and large immediate loss, to clean them up in the thorough manner which we do; but it pays splendidly in the long run. And then

Thousands of People Will Remember Wanamaker's For the Splendid Economies of This Sale

Before reading the startling price-reductions below, take fast hold of the fact that with the exception of a few items clearly specified every piece, every garment in this stirring offering is absolutely perfect, carefully selected for our regular stocks; and the lines were selling at the valuation prices quoted, up to last evening. Of course sizes are badly broken in many cases, as must be expected in such an offering.

Here are the facts in detail: (Quantities limited to two dozen to a customer. None to dealers.)

Women's Stockings (7700 Pairs)

At 15c a pair; were 25c and 35c Cotton, black. Lisle Thread, colored ribbed. Merino, black ribbed.

At 25c a pair; were 35c and 50c Cotton, plain black; black with split sole; black with unbleached feet; opera length black.

Lisle Thread, black, plain or open-worked; black, cloaked, open-worked; striped, lace insertion, polka-dots, colored tops or open-work with embroidery; black, opera length; white, embroidered or cloaked.

Cashmere, black. Main Lisle. At 50c a pair; were \$1 to \$1.75 Cotton, black, split feet; black with embroidered ankle.

Lisle Thread, black, open-worked; colored tops, open-worked, cloaked, embroidered ankles, or all over embroidery; white, embroidered. Silk, black, fleeced. Cashmere, black.

At \$1 a pair; were \$2.25 Pure Silk, ribbed, various colors. At \$1.50 a pair; originally \$3 to \$5 Pure Silk, black, open-worked ankles; black, cloaked, embroidered; black, open-worked ankles, cloaked or embroidered; white, embroidered; or open-worked ankles, embroidered.

Children's Stockings (4390 Pairs)

At 10c a pair; were 15c to 25c Socks—Cotton, Lisle Thread, plain or embroidered, white or colored. Stockings—Cotton, tan, plain, black or tan, ribbed. Lisle Thread, tan, ribbed. Merino, black, ribbed.

At 15c a pair; were 25c to 60c Socks—Lisle Thread, open-worked with embroidery. Stockings—Cotton, black, ribbed. Lisle Thread, plain tan or black; black ribbed; black open-work, or white open-work. Merino, black, plain or ribbed. Cashmere, colored. Main Lisle.

At 25c a pair; were 40c to 75c Stockings—Light Colored Silk. Black Cashmere.</